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PTO/SB/21 (02-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/759,372
	Filing Date	January 15, 2004
	First Named Inventor	Liyan HE
	Art Unit	1614
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	10 + 25 Refs.	Attorney Docket Number 559812000100

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (3 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): 1. Form PTO-1449 (3 pages in duplicate) 2. References (25) 3. Return receipt postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP Jie Zhou - 52,395	(Customer No. 25226)
Signature		
Date	September 14, 2004	

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: September 14, 2004

Signature: Martina Placid (Martina Placid)



PATENT
Docket No. 559812000100

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

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Martina Placid
Martina Placid

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Liyan HE

Serial No.: 10/759,372

Filing Date: January 15, 2004

For: NUCLEIC ACID INDEXING

Examiner: Not Yet Assigned

Group Art Unit: 1614

INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. § 1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references are not submitted. Copies of non-patent literature are submitted herewith. The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of ___ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of ___ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 559812000100. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

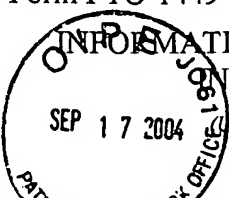
Dated: September 14, 2004

Respectfully submitted,

By: 

Jie Zhou
Registration No. 52,395

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5922
Facsimile: (650) 494-0792

Form PTO-1449  INFORMATION DISCLOSURE CITATION IN AN APPLICATION (use several sheets if necessary)	Docket Number 559812000100	Application Number 10/759,372
	Applicant Liyan HE	
	Filing Date January 15, 2004	Group Art Unit 1614
	Mailing Date September 14, 2004	

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	03/23/1982	4,321,365	Wu et al.			
	2.	07/28/1987	4,683,202	Mullis			
	3.	06/19/1990	4,935,357	Szybalski			
	4.	04/02/1996	5,503,980	Cantor			
	5.	04/16/1996	5,508,169	Deugau et al.			
	6.	09/03/1996	5,552,278	Brenner			
	7.	02/04/1997	5,599,675	Brenner			
	8.	01/13/1998	5,707,807	Kato			
	9.	02/03/1998	5,714,330	Brenner			
	10.	11/03/1998	5,831,065	Brenner			
	11.	01/05/1999	5,856,093	Brenner			
	12.	03/30/1999	5,888,737	DuBridge et al.			
	13.	11/30/1999	5,994,068	Guilfoyle et al.			
	14.	01/11/2000	6,013,445	Albrecht et al.			
	15.	01/16/2001	6,175,002	DuBridge et al.			
	16.	05/08/2001	6,228,999	Guilfoyle et al.			
	17.	08/28/2001	6,280,948	Guilfoyle et al.			
	18.	09/04/2001	6,284,497	Sabanayagam et al.			
	19.	02/05/2002	6,344,329	Lizardi			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO

OTHER DOCUMENTS (including author, title, Date, Pertinent Pages, Etc.)

EXAMINER:	DATE CONSIDERED:
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EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

pa- 917407

PTO/SB/ 08 (2-92)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Form PTO-1449

O I P E J C P
SEP 17 2004
PATENT OFFICE

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number 559812000100

Application Number 10/759,372

Applicant

Liyan HE

Filing Date January 15, 2004

Group Art Unit 1614

Mailing Date September 14, 2004

Examiner Initials	Ref. No.	
	20.	Brenner S. et al. (November 1989). "DNA Fingerprinting by Sampled Sequencing," <i>Proc. Natl. Acad. Sci.</i> 86:8902-8906.
	21.	Cohen, S. N. et al. (November 1973). "Construction of Biologically Functional Bacterial Plasmids <i>In Vitro</i> ," <i>Proc. Natl. Acad. Sci.</i> 70(11):3240-3244.
	22.	Fire, A. et al. (May 1995). "Rolling Replication of Short DNA Circles," <i>Proc. Natl. Acad. Sci.</i> 92:4641-4645.
	23.	Guilfoyle, R. A. et al. (1997). "Ligation-Mediated PCR Amplification of Specific Fragments From a Class II Restriction Endonuclease Total Digest," <i>Nucleic Acids Research</i> 25(9):1854-1858.
	24.	Kessler, C. et al. (1985). "Recognition Sequences of Restriction Endonucleases and Methylases - a Review," <i>Gene</i> 33:1-102.
	25.	Lander, E. S. (February 15, 2001). "Initial Sequencing and Analysis of the Human Genome," <i>Nature</i> 409:860-921.
	26.	Lizardi, P. M. et al. (July 19, 1998). "Mutation Detection and Single Molecule Counting Using Isothermal Rolling-Circle Amplification," <i>Nature Genetics</i> 19:225-232.
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	28.	Murray, N. E. et al. (October 11, 1974). "Manipulation of Restriction Targets in Phage λ to Form Receptor Chromosomes for DNA Fragments," <i>Nature</i> 251:476-481.
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	32.	Saiki, R. K. et al. (December 20, 1985). "Enzymatic Amplification of β -Globin Genomic Sequences and Restriction Site Analysis for Diagnosis of Sickle Cell Anemia," <i>Science</i> , 230:1350-1354.
	33.	Schweitzer, B. et al. (August 29, 2000). "Immunoassays With Rolling Circle DNA Amplification: A Versatile Platform for Ultrasensitive Antigen Detection," <i>Proc. Natl. Acad. Sci.</i> 97(18):10113-10119.
	34.	Sibson, D. R. et al. (2001). "Molecular Indexing of Human Genomic DNA," <i>Nucleic Acids Research</i> 29(19):e95, 10 pages total.
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	36.	Szybalski, W. et al. (1991). "Class-IIS Restriction Enzymes - a Review," <i>Gene</i> 100:13-26.
	37.	Szybalski, W. (1985). "Universal Restriction Endonucleases: Designing Novel Cleavage Specificities by Combining Adapter Oligodeoxynucleotide and Enzyme Moieties," <i>Gene</i> 40:169-173.

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38.	Tanaka, T. et al. (January 1973). "Construction of a Colicin E1-R Factor Composite Plasmid in Vitro: Means for Amplification of Deoxyribonucleic Acid," <i>Journal of Bacteriology</i> 121:354-362.		
39.	Thomas, M. et al. (November 1974). "Viable Molecular Hybrids of Bacteriophage Lambda and Eukaryotic DNA," <i>Proc. Natl. Acad. Sci.</i> 71(11):4579-4583.		
40.	Unrau, P. et al. (1994). "Non-Cloning Amplification of Specific DNA Fragments From Whole Genomic DNA Digests Using DNA 'Indexers'," <i>Gene</i> 145:163-169.		
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44.	Zhong, Z-B. et al. (March 27, 2001). "Visualization of Oligonucleotide Probes and Point Mutations in Interphase Nuclei and DNA Fibers Using Rolling Circle DNA Amplification," <i>Proc. Natl. Acad. Sci.</i> 98(7):3940-945.		
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